

Message Text

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ACTION EB-08

INFO OCT-01 EA-10 IO-13 ISO-00 AGRE-00 CIAE-00 COME-00
INR-10 LAB-04 NSAE-00 SP-02 STR-07 TRSE-00 FRB-03
OMB-01 L-03 SS-15 /077 W
-----124971 061926Z /42
R 060858Z SEP 78
FM AMEMBASSY BANGKOK
TO SECSTATE WASHDC 0536
INFO USMISSION GENEVA

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E.O.11652: NA
TAGS: ETRD, TH
SUBJ: TEXTILES AGREEMENT

REF: A) STATE 186175, B) BANGKOK 23612, C) BANGKOK 21084

1. DEPARTMENT OF FOREIGN TRADE, RTG MINISTRY OF COMMERCE, HAS ADVISED EMBASSY IT NOW WANTS CHANGES IN PROPOSED TEXT OF NEW US-THAI BILATERAL TEXTILE AGREEMENT. THIS IS CONTRARY TO EARLIER ORAL COMMUNICATION FROM DEPARTMENT OF FOREIGN TRADE TO EMBASSY AGREEING TO U.S. DRAFT NOTE WHICH HAD BEEN NEGOTIATED DURING PATTAYA MEETING (REFTEL B). MRS. ORANUT OSATANANDA, CHIEF OF EXPORT PROMOTION DIVISION, EXPLAINED THAT EARLIER COMMUNICATION TO EMBASSY WAS IN ERROR AND DUE TO MISUNDERSTANDING IN COMMUNICATIONS WITHIN DEPARTMENT OF FOREIGN TRADE.

2. DANAI TULABAMBA, DEPUTY DIRECTOR GENERAL, DEPARTMENT OF FOREIGN TRADE, HAS WRITTEN LETTER TO EMBASSY DATED AUGUST 31, 1978, WHICH PRESENTS THAI POSITION AS FOLLOWS:
-- "THIS IS TO ACKNOWLEDGE THE RECEIPT OF THE DRAFT TEXT OF THE BILATERAL TEXTILE AGREEMENT WHICH YOU SENT TO OUR OFFICE FOR CONSIDERATION. IN THIS CONNECTION, I WISH TO
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REFER TO THE MEMORANDUM OF UNDERSTANDING SIGNED IN PATTAYA BETWEEN THE LEADERS OF THE RESPECTIVE DELEGATION ON JUNE 4, 1978, WHICH STIPULATED THAT STANDARD PROVISIONS NORMALLY INCLUDED IN U.S. BILATERAL TEXTILE AGREEMENTS SHALL BE APPLIED TO THE NEW AGREEMENT. THIS IS ASSUMED BY US TO MEAN THE INCLUSION OF THE USUAL CLAUSES, WHERE APPROPRIATE, WHICH APPEAR IN THE TEXT OF THE AGREEMENT

SIGNED ON DECEMBER 29, 1975 AND IN EFFECT UNTIL 31
DECEMBER 1978. HOWEVER, WE NOTE FROM THE DRAFT TEXT
THAT THERE HAS BEEN CERTAIN DEPARTURES FROM THE PREVIOUS
AGREEMENT AND, THEREFORE, WISH TO PROPOSE THE FOLLOWINGS:
-- "1. ARTICLE 4 (B) BE REPLACED BY PART OF THE PROVISION
STIPULATED IN ARTICLE 6 OF THE EXCHANGE OF NOTES DATED
DECEMBER 29, 1975 AND SHOULD READ AS FOLLOWS:

-- "4(B) IN THE EVENT THE ROYAL THAI GOVERNMENT WISHES TO
PERMIT EXPORTS TO THE UNITED STATES IN ANY CATEGORY IN
EXCESS OF THE APPLICABLE CONSULTATION LEVEL DURING ANY
AGREEMENT YEAR, THE ROYAL THAI GOVERNMENT SHALL REQUEST
CONSULTATIONS WITH THE GOVERNMENT OF THE UNITED STATES ON
THIS QUESTION.

-- "THE GOVERNMENT OF THE UNITED STATES WILL CONSIDER EACH
REQUEST SYMPATHETICALLY AND WILL DENY SUCH REQUESTS ONLY
WHEN THERE ARE PROBLEMS OF MARKET DISRUPTION IN THE
CATEGORY OR PRODUCT CONCERNED. IN DENYING A REQUEST, THE
GOVERNMENT OF THE UNITED STATES WILL SUPPLY TO THE ROYAL
THAI GOVERNMENT THE DATA UPON WHICH THE DECISION OF THE
GOVERNMENT OF THE UNITED STATES WAS BASED.

-- "2. DELETION OF ARTICLE 5A(IV) SINCE IT HAD NOT BEEN
INCLUDED IN THE AFOREMENTIONED EXCHANGE OF NOTES. FURTHER-
MORE, WE WERE NOT SPECIFICALLY INFORMED AT THE TIME OF THE
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INITIALLING OF THE MEMORANDUM OF UNDERSTANDING THAT THERE
WOULD BE AN INCLUSION OF THIS CLAUSE IN THE NEW AGREEMENT,
OTHERWISE WE WOULD HAVE RAISED THIS POINT FOR DISCUSSION.

-- "3. WORDINGS FOR ARTICLE 10 AND 15 IN THE NEW AGREEMENT
SHOULD BE REPLACED RESPECTIVELY BY ARTICLE 16 AND 15 OF
THE EXCHANGE OF NOTES OF DECEMBER 29, 1975.

-- "WITH MY SINCERE APPRECIATION FOR YOUR KIND COOPERATION.
YOURS SINCERELY, DANAI TULALAMBA".

3. AS EMBASSY HAD ALREADY SUBMITTED DIPLOMATIC NOTE DATED
AUGUST 17, 1978 TO RTG MINISTRY OF FOREIGN AFFAIRS
TRANSMITTING PROPOSED TEXT OF NEW BILATERAL AGREEMENT ON
BASIS OF UNDERSTANDING DEPARTMENT OF FOREIGN TRADE HAD
APPROVED TEXT EMBASSY HAS NOW SUGGESTED DEPARTMENT OF
FOREIGN TRADE HAVE MFA RETURN DIPLOMATIC NOTE TO EMBASSY
AS "NOT RECEIVED." DEPARTMENT OF FOREIGN
TRADE AGREES WITH THIS APPROACH BUT ADVISES MFA IS HAVING
DIFFICULTY LOCATING EMBASSY'S NOTE. EMBASSY WILL ADVISE
DEPARTMENT OF STATE AS SOON AS NOTE PHYSICALLY RETURNED
TO EMBASSY.

4. DEPARTMENT OF FOREIGN TRADE HAS ALSO INQUIRED RE STATUS OF REQUEST FOR INCREASES IN CONSULTATION LEVELS CONTAINED IN REFTEL C. MRS. ORANUT ADVISES THAT DEPARTMENT OF FOREIGN TRADE PLACES HIGH PRIORITY OF THIS REQUEST. SHE HAS ALSO INQUIRED RE STATUS OF REQUEST FOR RETRO-ACTIVE INCREASE IN CONSULTATION LEVEL OF OLD CATEGORY 26/27 (REFTEL B).

5. EMBASSY BELIEVES THAT, IF THESE RTG REQUESTS FOR INCREASES IN CONSULTATION LEVELS CANNOT BE PROCESSED ADMINISTRATIVELY PRIOR TO EXCHANGE OF DIPLOMATIC NOTES

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INFO OCT-01 EA-10 IO-13 ISO-00 AGRE-00 CIAE-00 COME-00
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R 060858Z SEP 78
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ON NEW BILATERAL TEXTILE AGREEMENT, THIS FACT SHOULD BE PASSED ON TO DEPARTMENT OF FOREIGN TRADE AS WAY OF ENCOURAGING THAI BUREAUCRACY TO PROCESS EXCHANGE OF NOTES MORE EXPEDITIOUSLY.

6. PLEASE ADVISE. ABRAMOWITZ

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Message Attributes

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Draft Date: 06 sep 1978
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Disposition Approved on Date:
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Disposition Date: 20 Mar 2014
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Secure: OPEN
Status: NATIVE
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TAGS: ETRD, TH
To: STATE
Type: TE
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